

Art Unit: 2115

### EXAMINER'S AMENDMENT

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on 21 May 2010 has been entered.

2. The information disclosure statement (IDS) submitted on 21 May 2010 was filed after the mailing date of the Notice of Allowance on 18 March 2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Amanda Bernardy (for Gregory Caldwell) on 15 June 2010.

The application claims have been amended as follows:

Claim 9. (Currently Amended) A system, comprising:

a basic input output system that comprises:

a first module to perform system initialization for a computing device; ~~and~~

Art Unit: 2115

a second module to back up one or more files of the computing device in response to a backup request and to restore one or more files of the computing device in response to a recovery request[.];

a user interface to enable a user of the computer device to save one or more backup points that comprises one or more from a group comprising time information on the backup operation, type of the backup operation, information on content to be backed up in the backup operation, information to identify the content[.]; and

a point management module to establish a relationship among the backup points and locate a backup point associated with the recovery request based on the relationship.

Claim 10. (Cancelled)

Claim 29. (Currently Amended) A ~~tangible~~ machine readable storage medium comprising machine readable code that in response to being executed result in a firmware to

activate a basic input and output system of a computing device to perform a restoration operation on data of a computing device in response to a recovery request[.];  
and perform a backup operation on the computing device in response to a backup request;

provide a user interface in the firmware to enable a user of the computer device to save one or more backup points that comprises one or more from a group comprising time information on the backup operation, type of the backup operation, information on content to be backed up in the backup operation, information to identify the content; and

establish a relationship among the backup points and locate a backup point associated with the recovery request based on the relationship.

Art Unit: 2115

Claims 30-35. (Currently Amended) replace “machine readable medium” with  
--machine readable storage medium-- in lines 1 and 2.

4. Claims 1-9 and 11-35 are allowed.

5. Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to ALBERT WANG whose telephone number is (571)272-3669.

The examiner can normally be reached on M-F (9:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s  
supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the  
organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent  
Application Information Retrieval (PAIR) system. Status information for published applications  
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished  
applications is available through Private PAIR only. For more information about the PAIR  
system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR  
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would  
like assistance from a USPTO Customer Service Representative or access to the automated  
information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Albert Wang/  
Primary Examiner, Art Unit 2115